



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/791,549	03/01/2004	Marko Areh	ZTP01P15155	3288

24131 7590 02/01/2005  
LERNER AND GREENBERG, PA  
P O BOX 2480  
HOLLYWOOD, FL 33022-2480

EXAMINER

MACARTHUR, VICTOR L

ART UNIT	PAPER NUMBER
----------	--------------

3679

DATE MAILED: 02/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/791,549

Applicant(s)

AREH ET AL.

Examiner

Victor MacArthur

Art Unit

3679

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11/10/2004.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-16 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☒ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Priority*

Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Germany on 8/30/2001. It is noted, however, that applicant has not filed a certified copy of the DE10142508 application as required by 35 U.S.C. 119(b).

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 5-10 and 12-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Took U.S. Patent 6155741.

Claim 1. Took discloses (figs.1 and 5) a joining device for attaching a body, comprising: a first body (14, 22) having a first wall (14) with an inner side (inner side of 14) and extending substantially at a right angle to a second wall (wall of 12) of a second body (12), the first body being inserted into the second body; a plurality of detent bosses (36) connected (in as much as applicant's element 6 is connected to 2) to the inner side of the first wall, the plurality of detent bosses each being pressed by force into a respective one of detent openings (38) formed in the second body, and the plurality of detent bosses being encircled by the second body in a pressed-in state; and a plurality (col.3, ll.35-40) of connection devices (20) each disposed (in end of 20 shown in fig.1 and opposite end not shown) in the first body for exerting the force on a

Art Unit: 3679

respective one of the detent bosses. Note that col.3, ll.35-40 discloses that the first body comprises a pair of rails (10). Also note that col.3, ll.35-40 discloses that the second body comprises a plurality of rungs (12).

Claim 2. Took discloses that the first body has a plurality of springs (leaf springs supporting elements 36) connected to the first wall and the plurality of detent bosses are each disposed on a respective one of the plurality of springs.

Claim 3. Took discloses that the plurality of springs are disposed at an acute angle to the second wall (during insertion of 22 when 36 is deflected).

Claim 5. Took discloses that the detent openings are a sack hole bore (in as much as the applicant's openings are) and the detent bosses are configured for engaging the sack hole bores.

Claim 6. Took discloses that the connection devices are bolts.

Claim 7. Took discloses that the first body has a plurality of support walls (28, 30) on an inside of the first wall, and substantially vertical to the first wall, and the plurality of connection devices are disposed between the plurality of support walls and the plurality of springs and can be screwed or inserted into the first body.

Claim 8. Took discloses (figs.1 and 5) a joining device for attaching to a first body (10, 22), which is inserted into a second body (12), the first body having a first wall (14) extending substantially at a right angle to a second wall (wall of 12) of the second body, the joining device comprising: a plurality of detent bosses (36) connected to an inner side of the first wall and the plurality of detent bosses each being pressed by force into a respective one of detent openings (38) formed in the second body the plurality of detent bosses being encircled by the second body in a pressed-in state; and a plurality (col.3, ll.36-40) of connection devices (20) each disposed

Art Unit: 3679

(on both ends of rung 12 as described in col.3, ll.36-40) in the first body for exerting the force on a respective one of the detent bosses.

Claim 9. Took discloses a plurality of springs (leaf springs supporting 36) connected to the first wall and the plurality of detent bosses each being disposed on a respective one of the plurality of springs.

Claim 10. Took discloses that the plurality of springs are disposed at an acute angle to the second wall (during insertion of 22 when 36 is deflected).

Claim 12. Took discloses that the detent openings are sack hole bores and the detent bosses are configured for engaging the sack hole bores (in as much as the applicant's invention is).

Claim 13. Took discloses that the connection devices are a bolts.

Claim 14. Took discloses that the first body has a plurality of support walls (28, 30) on an inside of the first wall, and disposed substantially vertical to the first wall, and the plurality of connection devices which are disposed between the support walls and the springs can be screwed or inserted into the first body.

Claim 15. Took discloses (col.1 and figs.1 and 5) a kitchen appliance (cable ladder capable of carrying wires for stoves, refrigerators, deep fryers, etc.), comprising: a first body (10, 22) having a first wall (10) with an inner side (inner side of 10) and being a first housing part of the kitchen appliance; a second body (12) having a second wall (wall of 12) with a plurality of detent openings (38) formed therein and being a second housing part of the kitchen appliance, the first body being inserted into the second body, the first wall extending substantially at a right angle to the second wall of the second body; and a joining device (22) containing: a plurality of

Art Unit: 3679

detent bosses (36) connected to the inner side of the first wall, the plurality of detent bosses each being pressed by force into a respective one of the detent openings of the second body, and the plurality of detent bosses being encircled by the second body in a pressed-in state; and a plurality (col.3, ll.36-40) of connection devices (20) each disposed in the first body for exerting the force on a respective one of the detent bosses.

Claim 16. Took discloses that the first body is a floor part (in that it acts as a floor to 12), the first wall is a floor plate, and the second body is a sheathing part and the second wall is a sheathing wall (in as much as the applicant's invention is).

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Took (U.S. Patent 6,155,741) in view of Usui (U.S. Patent 5,678,953) and Allegrucci (U.S. Patent 5,100,046).

Claims 4 and 11. Took discloses that the plurality of springs (springs supporting 36) are connected to the first wall (14). Took does not disclose monobloc connection between the springs and the first wall. Usui teaches (fig.1) monobloc connection between a plurality of springs (23, 25) and a first wall (21). Allegrucci teaches that monobloc connection guarantees uniform quality by reducing stress and wear between elements. Therefore, it would have been

Art Unit: 3679

obvious to one with ordinary skill in the art at the time the invention was made to modify the Took springs to be connected monobloc to the first wall as taught by Usui and Allegrucci, for the purpose of guaranteeing uniform quality by reducing stress and wear between elements.

### ***Response to Arguments***

Applicant's arguments with regard to the newly added claim limitations have been fully considered but they are not persuasive.

The applicant argues that the prior art does not show a plurality of connection devices each disposed in the first body for exerting the force on a respective one of the detent bosses. This is not persuasive. Took discloses a plurality (col.3, ll.35-40) of connection devices (20) each disposed (in end of 20 shown in fig.1 and opposite end not shown) in the first body for exerting the force on a respective one of the detent bosses. Note that col.3, ll.35-40 of Took discloses that the first body comprises a pair of rails (10). Also note that col.3, ll.35-40 of Took discloses that the second body comprises a plurality of rungs (12).

Applicant's arguments have been fully considered but do not pertain to the claims as originally rejected. Rather, they regard newly added limitations and as such are considered to be moot in view of the new grounds of rejection, which were necessitated by amendment.

### ***Conclusion***

Applicant's amendment (e.g. the newly added limitation "plurality of connection devices" in line 13 of claim 1) necessitated the new ground(s) of rejection presented in this Office action.

Art Unit: 3679

Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor MacArthur whose telephone number is (703) 305-5701. The examiner can normally be reached on 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (703) 308-2686. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

VLM

VLM  
January 19, 2005



DANIEL P. STODOLA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600